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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,093	04/10/2000	David S. Wehrle	00AB108	2591

7590 04/23/2003

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EXAMINER

BAROT, BHARAT

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 04/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/546,093</b>	Applicant(s) <b>David S. Wehrle et al.</b>
	Examiner <b>Bharat Barot</b>
	Art Unit <b>2154</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Apr 10, 2000

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

4)  Claim(s) 1-9 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-9 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some\* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 04

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

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## DETAILED ACTION

### **Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Crump et al (U.S. Patent No. 6,484,206). Crump's patent meets all the limitations for the claims 1-9 recited in the claimed invention.

3. As to claim 1, Crump et al disclose a protocol for automatic sequential addressing, comprising: a first protocol for enabling at least one I/O module to receive network communications; and a second protocol for providing the network communications to the at least one I/O module (figure 4A; and column 4 line 34 to column 5 line 32).

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4. As to claim 2, Crump et al disclose that the first protocol enables at least one I/O module to enable at least one other I/O module to form an I/O group (figures 4A-4B).

5. As to claims 3-4, Crump et al disclose that the first protocol is a serial protocol which includes a sync field, a size field, a command field, a data field, and a CRC field (column 4 line 60 to column 5 line 32).

6. As to claims 5-6, Crump et al disclose that the first protocol transmits data in selected intervals via an interrupt service routine; and the selected intervals are groups of three to ensure data is sampled within a bit transition time (figure 6; and column 7 lines 33-55).

7. As to claim 7, Crump et al disclose a Generic broadcast, an Autoaddress, and a Generic Master Mode (figure 7; and column 7 line 56 to column 8 line 40).

8. As to claims 8-9, Crump et al disclose that the second protocol provides at least one of DeviceNet, EtherNet and ControlNet network communications; and the second protocol further comprises class attributes, class services, and instance attributes (figure 4A; and column 4 line 34 to column 5 line 32).

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**Additional Reference**

9. The following reference is cited by the examiner as of general interest.

a. Heimsoth et al, U.S. Patent No. 5,675,740.

**Contact Information**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose telephone number is (703) 305-4092. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **An, Meng-Ai**, can be reached at (703) 305-9678. The fax phone numbers for examiner's Art Unit OR Group are **After final response (703) 746-7238, Official response (703) 746-7239, and Unofficial/Draft response (703) 746-7240**.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

Patent Examiner Bharat Barot

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April 09, 2003



**BHARAT BAROT  
PRIMARY EXAMINER**